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CENTRAL FAX CENTER****JUN 13 2011**Attorney Docket Number: FSP0357  
Application Number: 10/578,872

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### Claims

This listing of claims replaces all prior versions and listings of claims in the present application.

1. – 16. (Cancelled)

17. (Currently Amended) A content on demand server system adapted to:  
deliver a first audio and/or video stream and to insert markers in the [[at]] first stream, the markers comprising position data in the first stream;  
to receive from a set top box a marker obtained from the first stream and comprising position data for the first stream for which the set top box has paused or suspended viewing, and upon a signal from the set top box to resume streaming of the first stream from a position proximate to the position data indicated by the marker;  
to insert a particular number of markers into each time interval of the first stream; and  
to communicate the number of markers per interval in the first stream to the set top box in a second stream.

18. (Previously Presented) The content server of claim 17 further adapted to:  
communicate the number of markers per interval in the first stream to the set top box in a quadrature amplitude modulated stream on a predetermined channel.

19. (Previously Presented) A set top box system adapted to:  
receive a first audio and/or video stream, the first stream comprising markers indicating positions in the first stream;  
to communicate to a server system providing the first stream a marker obtained from the first stream and comprising position data at which the set top box has paused or suspended viewing of the first stream; and  
to extract from a second stream a number of markers per interval in the first stream.

20. (Previously Presented) The set top box of claim 19, further adapted to:

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monitor the first stream for the number of markers per interval; and  
if the number of markers per interval is not detected, to signal the server system to terminate the first stream.

21. (Previously Presented) A method comprising:

inserting a particular number of markers into each time interval of a first stream;

communicating the number of markers per interval in the first stream to a set top box in a second stream.

delivering the first stream and inserting markers in the first stream, the markers comprising position data in the first stream;

receiving from the set top box a marker obtained from the first stream and comprising position data for the first stream for which the set top box has paused or suspended viewing;

upon a signal from the set top box resuming streaming of the first stream from a position proximate to the position data indicated by the marker.